

**IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF WEST VIRGINIA**

HUNTINGTON DIVISION

WILLIAM BRUMFIELD,

Plaintiff,

v.

CIVIL ACTION NO. 3:15-14127

GOODYEAR TIRE & RUBBER CO.;
JOHN K. KESSINGER;
JANE S. MCELREATH;
MARK S. GANNON;
RICKY L. BRADLEY; and
DON SHIVERS,

Defendants.

MEMORANDUM OPINION AND ORDER

This action was referred to the Honorable Cheryl A. Eifert, United States Magistrate Judge, for submission to this Court of proposed findings of fact and recommendation for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate Judge has submitted findings of fact and recommended that the Court grant Defendant Goodyear Tire & Rubber Company's Motion to Dismiss (ECF No. 31), dismiss the complaint, in its entirety, and remove this matter from the docket of the Court. Neither party has filed objections to the Magistrate Judge's findings and recommendations.

Accordingly, the Court accepts and incorporates herein the findings and recommendation of the Magistrate Judge and **GRANTS** Defendant Goodyear Tire & Rubber Company's Motion to Dismiss (ECF No. 31), **DISMISSES** the complaint, in its entirety, and **REMOVES** this matter from the docket of the Court, consistent with the findings and recommendations.

The Court **DIRECTS** the Clerk to forward copies of this written opinion and order to all counsel of record, and any unrepresented parties.

ENTER: March 30, 2016



ROBERT C. CHAMBERS, CHIEF JUDGE